United Nations A/C.4/55/L.18

General Assembly

Distr.: Limited
3 November 2000

Original: English

Fifty-fifth session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 85

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Afghanistan, Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories

The General Assembly,

Bearing in mind the relevant resolutions of the Security Council,

Recalling its relevant resolutions,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1] and the relevant reports of the Secretary-General,[2]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Noting the convening of the meeting of experts of the High Contracting Parties to the General Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] in Geneva from 27 to 29 October 1998, at the initiative of the Government of Switzerland in its capacity as the depositary of the Convention,

[1] A/55/373 and Add.1 and A/55/453.

[2] A/55/261-265.

[3] United Nations *Treaty Series*, vol. 75, No. 973.

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concerning general problems of application of the Convention in general and, in particular, in occupied territories,

Noting also the convening on 15 July 1999 for the first time of a Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure respect thereof in accordance with article 1 common to the four Geneva Conventions,[4] and aware of the statement adopted by the Conference,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] is applicable to the Occupied Palestinian Territory, including Jerusalem and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all States parties to the Convention, in accordance with article 1 common to the four General Conventions,[4] to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the recommendations contained in resolutions ES-10/3 of 15 July 1997, ES-10/4 of 13 November 1997, ES-10/5 of 17 March 1998, ES-10/6 of 9 February 1999 and ES-10/7 of 20 October 2000 with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Fourth Geneva Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-sixth session on the implementation of the present resolution.

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[4] Ibid., Nos. 970-973.